

REMARKS

The present Amendment amends claims 1, 3, 4 and 8-11 and leaves claims 2, 5 and 6 unchanged. Therefore, the present application has pending claims 1-6 and 8-11.

Claims 1, 6, 8 and 10 stand rejected under 35 USC §103(a) as being unpatentable over Campbell (U.S. Patent No. 5,918,209) in view of Okawa (U.S. Patent No. 5,933,810); claim 2 stands rejected under 35 USC §103(a) as being unpatentable over Campbell in view of Okawa and further in view of an allegedly Office Notice; and claims 3-5, 9 and 11 stand rejected under 35 USC §103(a) as being unpatentable over Campbell, Okawa and Lynch (U.S. Patent No. 6,119,094). These rejections are traversed for the following reasons. Applicants submit that the features of the present invention as now more clearly recited in claims 1-6 and 8-11 are not taught or suggested by Campbell, Okawa or Lynch whether taken individually or in combination with each other as suggested by the Examiner.

Amendments were made to each of the claims to more clearly recite the features of the present invention not taught or suggested by any of the references of record whether taken individually or in combination with each other. Particularly, amendments were made to each of the independent claims so as to more clearly recite as illustrated, for example, in Fig. 7 of the present application that according to the present invention a logical resource for each service attribute is kept independent from physical resource identifiers in execution of services to be provided and that based on this service attribute the system determines and reserves candidate identifiers of physical resource and an amount of use that is necessary to provide the server.

The above described features of the present invention now more clearly recited in the claims are not taught or suggested by any of the references of record whether taken individually or in combination with each other.

In the Office Action the Examiner alleges that Campbell teaches a service reservation method that accept requests from users for reservation utilizing services supplied by using resources. Particularly, the Examiner recognizes that:

“Campbell does not explicitly teach the degree of importance is determined in accordance with one at least one attributes of the users, status information of the service including low level and social factors and attributes of the services”.

In this regard, the Examiner alleges that Okawa supplies such teaching. The Examiner alleges that:

“Okawa teaches determining a degree of importance in accordance with at least one of attributes of users, status information of services including low level and social factors and attributes of the services in col. 5, line 60 through col. 6, line 5 and in Fig. 3”.

It appears that the Examiner misunderstands the teaching in Okawa and therefore have mis-described the teaching therein. Okawa simply teaches only one resource management target. Thus, Okawa merely allots the right to use this resource in the time axis thus, allowing for the target management resource to indicate whether it is busy or not.

The present invention differs from substantially from that taught by Okawa being that the present invention has the feature of adjusting the number of resources to be used for providing services in accordance with load status of the resources and to provide a substitute resolution plan if needed. According to the present invention

based on these features the effect on the system is to allow for increasing numbers of users to take advantages of the services being provided. Such is clearly not possible in Okawa since Okawa merely manages the rights to use a single resource. Since the present invention has a plurality of resources the system as recited in the claims allow for the services to be provided by a combination of resources which are not possible in Okawa.

Further, according to the present invention as now more clearly recited in the claims means is provided for deciding an amount of use for each resource to be secured in providing the services and means for proposing a substitute reservation plan is provided. Such features are clearly not taught or suggested by Campbell or Okawa. Further, according to the present invention a table such as that illustrated in Fig. 7 of the present application is provided according to the present invention so that a logical resource for each service attribute is kept independent from physical resource identifiers in execution of services to be provided. According to the present invention based on this service attribute the system determines and reserves candidate identifiers of physical resource and an amount of use that is necessary to provide the service. Such features are clearly not taught or suggested by both Campbell and Okawa.

Thus, Campbell and Okawa fail to teach or suggest an importance degree determining element adapted to determine, in accordance with at least one of attribute of the users, status information of the services including low level and social factors and attributes of the services, a degree of importance of the service booking request accepted by the first acceptance element as recited in the claims.

Further, both Campbell and Okawa fail to teach or suggest a reservation taking element adapted, when a load level, which is determined depending upon the reservation condition managed by the reservation condition management element, of resources used for supplying object services related relative to the service booking element accepted by the first acceptable element is higher than a predetermined level, to deny the acceptable of service booking request if the degree of importance of the service booking request determined by the importance degree determining element is lower than a predetermined importance degree determined by a predetermined standard and to permit the acceptance of the service booking request if the degree of importance of the service booking request determined by the importance degree determining element is not lower than predetermined importance degree as recited in the claims.

Still further, both Campbell and Okawa fail to teach or suggest that a service resource allotting element adapted to select a combination among combination of resources which includes data ** resources, data transmission resources and data processing resource to allot resource which constitute the combination thus selected to the reservation of the service whose reservation was taken as recited in the claims.

Even further, both Campbell and Okawa fail to teach or suggest that a logical resource for each service attribute is kept independent from physical resource identifiers in execution of services to be provided and based on this service attribute, the system determines and reserves candidate identifiers of physical resource and an amount of use that is necessary to provide the service as recited in the claims.

Therefore, as is quite clear from the above, the combination of Campbell and Okawa fail to teach or suggest the features of the present invention as now more clearly recited in the claims. Accordingly, reconsideration and withdrawal of the 35 USC §103(a) rejection of claims 1, 6, 8 and 10 as being unpatentable over Campbell in view of Okawa is respectfully requested.

The above noted deficiencies of both Campbell and Okawa are not supplied by Lynch. Therefore, combining the teachings of Campbell and Okawa with Lynch still fail to teach or suggest the features of the present invention as now more clearly recited in the claims.

Lynch is merely relied upon by the Examiner for an alleged teaching or preparing a substitute plan. However, at no point in Lynch is there any teaching of the above described features now more clearly recited in the claims shown above not to be taught or suggested by Campbell and Okawa. Therefore, even if Lynch teaches what is alleged by the Examiner, which it does not, combining Lynch with Campbell and Okawa would still be deficient of the above described features of the present invention shown above not taught or suggested by Campbell or Okawa. Accordingly, the same arguments presented above with respect to Campbell and Okawa apply as well to Lynch.

Therefore, the combination of Campbell, Okawa and Lynch fail to teach or suggest the features of the present invention as now more clearly recited in the claims. Accordingly, reconsideration and withdrawal of the 35 USC §103(a) rejection of claims 3-5, 9 and 11 as being unpatentable over Campbell in view of Okawa and Lynch is respectfully requested.

The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the references utilized in the rejection of claims 1-6 and 8-11.

In view of the foregoing amendments and remarks, applicants submit that claims 1-6 and 8-11 are in condition for allowance. Accordingly, early allowance of claims 1-6 and 8-11 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (566.38876X00).

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.



Carl I. Brundidge
Registration No. 29,621

CIB/jdc
(703) 684-1120